



Drax Power Station  
Selby  
North Yorkshire  
YO8 8PH

+44(0)1757 618381  
www.drax.com

Michele Gregory  
National Infrastructure Case Manager

The Planning Inspectorate  
Major Applications and Plans Directorate  
Temple Quay House  
Temple Quay  
Bristol  
BS1 6PN

20 February 2019

**PINS Reference: EN010091**

**Examination Deadline 7 (“D7”)**

The Drax Power (Generating Stations) Order

Dear Ms Gregory,

Please find enclosed documentation for Examination Deadline 7 from Drax Power Limited ("Drax") for a Development Consent Order ("DCO") in respect of the Drax Repower Project ("the Proposed Scheme"). This Deadline is the seventh of nine Deadlines for the Examination set out within the Rule 8 Letter published on 11 October 2018.

I set out below the documents submitted at this Deadline 7.

### [Full List of Submission Documents for Deadline 7](#)

Submission documents for Deadline 7 of the Examination include:

#### Updated Application Documents

- 1.2 Application Guide
- 3.1 Draft Development Consent Order
- 5.7 Carbon Capture Readiness Statement
- 6.4 Environmental Statement Commitments Register

- 6.7 Outline Landscape and Biodiversity Strategy

#### Additional Examination Documents

- 8.1.4 Statement of Common Ground between Drax Power Limited and North Yorkshire County Council and Selby District Council (updated draft)
- 8.1.5 Statement of Common Ground between Drax Power Limited and the Environment Agency (updated draft)
- 8.1.6 Statement of Common Ground between Drax Power Limited and Highways England (updated draft)
- 8.1.7 Statement of Common Ground between Drax Power Limited and Yorkshire Wildlife Trust (updated draft)
- 8.2.7 Schedule of Changes for Deadline 7
- 8.4.6 Outline Public Rights of Way Management Plan
- 8.5.19 Written Summary of Drax Power Limited's ("the Applicant") Oral Case put at the Compulsory Acquisition Hearing – 12th February
- 8.5.20 Written Summary of Drax Power Limited's ("the Applicant") Oral Case put at the Issue Specific Hearing – 12th February

The reasons for the submission of these documents are set out below.

#### Draft Development Consent Order

The updated draft DCO (now Rev 5) reflects the changes made following the Issue Specific Hearing on 12 February 2019 and includes amendments to Requirements 7 (with respect to the detailed design of the pedestrian bridge) and 8 (in relation to biodiversity net gain), both of which have been agreed with NYCC / SDC.

#### Carbon Capture Readiness Statement

The updated Carbon Capture Readiness Statement (document reference number 5.7, now Rev 003) is submitted in response to changes requested by the Environment Agency following further discussions with the Applicant on operation of the CO<sub>2</sub> Capture Plant when the Proposed Scheme is operating in OCGT mode. The updated Carbon Capture Readiness Statement demonstrates that in both OCGT and CCGT mode, there are no foreseeable barriers to carbon capture with regards to space allocation or technical feasibility.

## Environmental Documents

The Outline Landscape and Biodiversity Strategy (Applicant's document reference 6.7, now Rev 004) provides a minor update to the Strategy in terms of Biodiversity Net Gain and secures the minimum net gain that the Proposed Scheme would deliver, based on the most recent Biodiversity Net Gain Assessment (Rev 003, Examination Library Reference REP6-004) and following the Applicant's offer to secure the minimum net gain at the Issue Specific Hearing on 12 February 2019.

On 29 January 2019 the Applicant received a request by North Yorkshire County Council for some further amendments to the Outline Public Rights of Way Management Plan submitted by Drax at Deadline 5 (Examination Library Reference REP5-018). The key change requested relates to the notification of the Highway Authority 7 days prior to two Public Rights of Ways being diverted (paragraph 3.8.1). North Yorkshire County Council considered that this should be amended to a 6 week period. The Applicant agreed to this change and the other minor amendments requested, and the updated Outline Public Rights of Way Management Plan is submitted at Deadline 7 (Applicant's document reference 8.4.6, now Rev 003). This document is now agreed with NYCC/SDC.

The Environmental Statement Commitments Register (document reference 6.4, now Rev 003) is submitted at Deadline 7 in response to comments from the Local Authorities, minor amendments and additional detail pertaining to the Register of Environmental Commitments.

## Statements of Common Ground

Updated draft Statements of Common Ground (SoCG) with the following parties are submitted at Deadline 7:

- North Yorkshire County Council and Selby District Council (document reference number 8.1.4) (third draft);
- Environment Agency (document reference number 8.1.5) (second draft);
- Highways England (document reference number 8.1.6) (second draft); and
- Yorkshire Wildlife Trust (document reference number 8.1.7) (second draft).

The abovementioned draft SoCGs set out the areas of agreement, and any areas of disagreement between the Parties. In line with the Rule 8 letter, the final signed version of the SoCGs will be submitted by Thursday 21 March 2019 (Deadline 8).

Since the submission of the first draft SoCG with the local authorities at Deadline 1 (Examination Library Reference REP1-006) and the second draft at Deadline 4 (Examination Library Reference REP4-008), Drax has had further engagement with North Yorkshire County Council and Selby District Council. The only remaining area of disagreement relates to the extent of mitigation of landscape and visual effects, as set out in the updated draft SoCG. The enclosed draft SoCG with the local authorities is agreed. Drax continues to engage with the local authorities on this matter, however Drax continues to disagree with the proposals submitted by the local authorities in the "*Martin Woolley Off-Site Strategy*" (Examination Library Reference REP4-016). At this stage Drax is not formally responding to the local authorities' Deadline 6 submission (*North Yorkshire County Council / Selby District Council – Drax Re-Power – Examining Authority's Further Written*

Questions LV2.2 (Examination Library Reference REP6-019)). As requested by the Examining Authority in the Issue Specific Hearing on 12 February 2019, Drax is expecting that the local authorities will provide further details of the list of projects as set out in the “*Martin Woolley Off-Site Strategy*” and prioritise these and confirm the level of funding being requested; which specific projects the funding would relate to; the justification for the funding and identified projects; and the mechanism by which such funding would be secured. Until this document has been submitted by the local authorities, Drax reserves its position on the local authorities’ Deadline 6 submission (Examination Library Reference REP6-019) and refers the Examining Authority to the Applicant’s oral submissions on the Martin Woolley Off-Site Strategy made at the Issue Specific Hearing held on 12 February 2019.

With regard to a draft SoCG with the Environment Agency, since the submission of the first draft SoCG at Deadline 4 (Examination Library Reference REP4-007), Drax has engaged further with the Environment Agency on matters relating to carbon capture readiness. In line with comments received from the Environment Agency, Drax has provided an updated Carbon Capture Readiness Statement at Deadline 7 (document reference number 5.7, now Rev 003). Drax considers that no further points remain under discussion with the Environment Agency and submitted a final proposed SoCG to the Agency on 18 February 2019. As no response has been received so far, the SoCG is submitted into the Examination as an updated draft.

Since the submission of the first draft SoCG with Highways England at Deadline 2 (Examination Library Reference REP2-028), Drax has continued to engage with Highways England on matters relating to the management of abnormal indivisible loads (and public rights of way management). In line with the comments received from the local authorities, Drax has provided an updated Outline Public Rights of Way Management Plan at Deadline 7 (document reference number 8.4.6, now Rev 003). Drax submitted an updated SoCG to Highways England for sign off on 15 February 2019 but we understand that Officers are now on leave and will not be able to respond until the w/c 25 February 2019. As the Applicant considers that no further points remain under discussion with Highways England, and due to the end of the Examination approaching, the Applicant was considered that it would be helpful to the Examining Authority to see an updated draft SoCG regardless. Drax will seek to submit a final signed version by Deadline 8.

With regard to the draft SoCG with Yorkshire Wildlife Trust, as reported at the Issue Specific Hearing held on 12 February 2019, there remains disagreement on the baseline for the carbon assessment, the extent of biodiversity net gain and the extent of off-site mitigation for landscaping effects. It is expected that these areas will remain in disagreement in the final, signed SoCG.

## Other Documents

The Written Summaries of Drax Power Limited’s oral case put at the hearings held on 12 February 2019 have been submitted in line with the deadline given in the Rule 8 letter. These include:

- 8.5.19 Written Summary of Drax Power Limited’s (“the Applicant”) Oral Case put at the Compulsory Acquisition Hearing – 12th February 2019
- 8.5.20 Written Summary of Drax Power Limited’s (“the Applicant”) Oral Case put at the Issue Specific Hearing – 12th February 2019

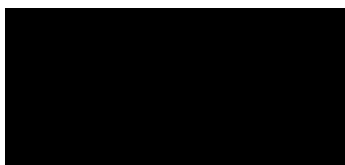
As the Applicant did not make any oral submissions at the Open Floor Hearing, no written summary has been provided with respect to that hearing.

As mentioned at the Issue Specific Hearing held on 12 February 2019, the Applicant will be responding to ClientEarth's document entitled "*Response to Written Question ANC 2.5 and the Applicant's Deadline 5 submission*" (Examination Library Reference REP6-021) but only in respect of those points that have not reached a natural conclusion or which are new points. Despite this document being submitted for Deadline 6 on 30 January 2019, the document was not available for review by third parties, including the Applicant, until the afternoon of 7 February 2019, over a week later. Due to this delay in publication, and with the Hearings in between Deadline 6 and Deadline 7, the Applicant will be submitting this response as soon as possible next week, which is at least 3 weeks before Deadline 8 when responses are due on Deadline 7 submissions.

The Schedule of Changes for Deadline 7 (document reference 8.2.7) sets out key changes to updated submission documents. The revision numbers for each document are set out in the updated Application Guide (document reference 1.2, Rev 11).

Please do not hesitate to contact me should you have any queries regarding the enclosed submissions.

Yours sincerely



Jim Doyle  
Environmental Consents Officer  
[Jim.Doyle@drax.com](mailto:Jim.Doyle@drax.com)